

# Informational Webinar for the Regulated UST Community on the California Code of Regulations, Title 23, Division 3, Chapter 16

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- 💧 Designated UST Operator
- 💧 Facility Employee Training
- 💧 Other Requirements

# Effective Date

- 💧 **The underground storage tank (UST) requirements in this presentation became effective on October 1, 2018**

California Code of regulations, tit. 23, div. 3, ch. 16 (California UST Regulations)



# Definitions

- 💧 **Repair – Restore to proper operating condition**
  - 💧 Historically for “release” only
  - 💧 Now for any component out of compliance

California UST Regulations, § 2611, “Repair.”

# New Construction

## 💧 Overfill Prevention

- 💧 No flow restrictors installed on vent lines (e.g., Ball floats)

## 💧 Emergency Generator Tank System (EGTS)

- 💧 Line leak detector installed on underground pressurized pipe
- 💧 May use an audible and visual alarm

## 💧 Compatibility Documentation

- 💧 Includes spill containment, overfill and auxiliary equipment



# Upgrade Requirements

- 💧 **Emergency Generator Tank Systems**
  - 💧 Retrofit line leak detectors on underground pressurized pipe by October 13, 2018
  - 💧 May use an audible and visual alarm response

California UST Regulations, § 2666(f).



# Upgrade Requirements (continued)

## 💧 Overfill Prevention Equipment

- 💧 May not repair or replace overfill prevention equipment that uses flow restrictors installed in vent lines to satisfy the overfill prevention requirement



# Upgrade Requirements (continued)

## 💧 Buried Single-Walled Pipe

- 💧 May not repair or replace;
  - 💧 Must upgrade to double-walled and interstitially monitored pipe; and
  - 💧 Vent, vapor recovery, and tank risers piping excluded.

California UST Regulations, § 2666(b)(2).

# Change in Substance Stored

## 💧 Notification

- 💧 Notify the Unified Program Agency (UPA) in writing;
- 💧 30 days before a change in the substance stored;
- 💧 Identify specific substance to be stored;
- 💧 Date storage will commence; and
- 💧 Attach documentation demonstrating compatibility

California UST Regulations, § 2711(c).



# Compatibility Documentation (continued)

- 💧 **Single-Walled Motor Vehicle Fuel USTs**
  - 💧 Independent testing organization approval specific to the substance to be stored

California UST Regulations, §§ 2631(b), (k) & 2640.1.



# Compatibility Documentation (continued)

- 💧 **Spill Containers, Overfill Prevention Equipment, and Ancillary Equipment**
  - 💧 Specific to the substance to be stored
    - 💧 Independent testing organization approval;
    - 💧 Manufacturer statement of compatibility; or
    - 💧 Statement from a California registered professional engineer.

California UST Regulations, §§ 2631(l) & 2665(b).



# In-Tank Monitoring Methods

- 💧 **All In-Tank Gauging Leak Detection Methods**
  - 💧 Leak detection results every 30 days

California UST Regulations, §§ 2643(b) & (c)(2).



# In-Tank Monitoring Methods (continued)

## 💧 **Obsolete Leak Detection Methods**

- 💧 Manual inventory reconciliation
- 💧 Manual tank gauging for small tanks
  - 💧 (<1,000 Gallons Capacity)

California UST Regulations, §§ 2634(c)(2) & 2640(d).



# In-Tank Monitoring Methods (continued)

- 💧 **Statistical Inventory Reconciliation (SIR)**
  - 💧 Leak detection results every 30 days
  - 💧 Quantitative method
  - 💧 Threshold value no greater than one-half the minimum detectable leak rate

California UST Regulations, § 2643(b)(2).



# Testing and Inspections

## 💧 Deadlines

- 💧 Calculate in calendar months
- 💧 Period begins the calendar month after the test or inspection is performed or required to be performed, whichever occurs first.
  - 💧 Early testing and inspections resets period
  - 💧 Late testing and inspections does not reset period

California UST Regulations, §§ 2611, "Month" & 2620(e).





# Testing and Inspections (continued)

## Deadlines (continued)

### 💧 **Example 1 – Test or Inspection Performed On-time**

- 💧 A complete monitoring system certification is performed on-time on November 1, 2018. The next monitoring system certification must be completed by November 30, 2019.

# Testing and Inspections (continued)

## Deadlines (continued)

### 💧 Example 2 – Test or Inspection Performed Early

- 💧 A complete monitoring system certification is performed on time on November 1, 2018. A complete monitoring system certification is performed early on October 15, 2019. The next complete monitoring system certification must be completed by October 31, 2020.

# Testing and Inspections (continued)

## Deadlines (continued)

### 💧 **Example 3 – Test or Inspection Performed Late**

- 💧 A complete monitoring system certification is performed on time on November 1, 2018. The next complete monitoring system certification is performed late on December 15, 2019. The next complete monitoring system certification is required by November 30, 2020.

# Testing and Inspections (continued)

## 💧 Secondary Containment Testing

- 💧 Within 30 days of a repair
- 💧 Within 30 days of discontinuing voluntary monitoring through vacuum, pressure, or hydrostatic fluid
- 💧 Results must be recorded on the "Secondary Containment Testing Report Form"
  - 💧 Attach a copy of the procedures used



# Testing and Inspections (continued)

## 💧 Spill Container Testing

- 💧 Within 30 days of a repair
- 💧 Notify UPA 48 hours prior to the testing

California UST Regulations, §§ 2637.1(a)(2), (f), & 2665(b).



# Testing and Inspections (continued)

## 💧 Spill Container Testing (continued)

- 💧 Results must be recorded on the "Spill Containment Testing Report Form"
  - 💧 Attach a copy of the procedures used
  - 💧 Submit to UPA within 30 days of testing; and
  - 💧 Owners/operators retain for 36 months.

California UST Regulations, §§ 2637.1(d), (e), 2665(b), & 2712(b)(1)(F).



# Testing and Inspections (continued)

## 💧 Spill Container Testing (continued)

- 💧 Method of Testing (one in the following order)
  - 💧 Manufacturer's guidelines or standards;
  - 💧 Industry code or engineering standard; or
  - 💧 Method approved by a state registered professional engineer.



# Testing and Inspections (continued)

## 💧 Spill Container Testing (continued)

- 💧 Must be performed by a UST service technician
- 💧 UST service technician training and certification
  - 💧 Manufacturer of the equipment being tested;
  - 💧 Developer of test method being used;
  - 💧 Developer of the testing equipment; or
  - 💧 Comparable training and certification.





# Testing and Inspections (continued)

## 💧 **Overfill Prevention Equipment Inspection**

- 💧 Equipment used to meet the overfill requirement
- 💧 Set to activate at the correct level
- 💧 Activates when stored substance reaches that level

California UST Regulations, §§ 2637.2(b) & 2665(b).



# Testing and Inspections (continued)

## 💧 Overfill Prevention Equipment Inspection (continued)

### 💧 Frequency

- 💧 The first inspection by October 13, 2018;
- 💧 At least once every 36 months; and
- 💧 Within 30 days of a repair.

California UST Regulations, §§ 2637.2(a) & 2665(b).



# Testing and Inspections (continued)

## 💧 **Overfill Prevention Equipment Inspection (continued)**

- 💧 Notify UPA 48 hours prior to the inspection
- 💧 Results must be recorded on the "Overfill Prevention Equipment Inspection Report Form"
  - 💧 Submit to UPA within 30 days of inspection; and
  - 💧 Owners/operators retain for 36 months.

California UST Regulations, §§ 2637.2(d), (e), (f), 2665(b), & 2712(b)(1)(G).



# Testing and Inspections (continued)

## 💧 **Overfill Prevention Equipment Inspection (continued)**

### 💧 Method of Inspection (one in the following order)

- 💧 Manufacturer's guidelines or standards;
- 💧 Industry code or engineering standard; or
- 💧 Method approved by a state registered professional engineer.

California UST Regulations, §§ 2637.2(b) & 2665(b).



# Testing and Inspections (continued)

## 💧 **Overfill Prevention Equipment Inspection (continued)**

- 💧 Must be performed by a UST service technician
- 💧 UST service technicians training and certification
  - 💧 Manufacturer of the equipment being inspected;
  - 💧 Developer of the inspection method being used; or
  - 💧 Comparable training and certification.

California UST Regulations, §§ 2637.2(c), 2665(b), 2715(f)(2)(D) & (E).



# Testing and Inspections (continued)

## 💧 Cathodic Protection Equipment Testing/Inspection

- 💧 Test or inspect the cathodic protection system within 6 months of the date of the completion of a repair.

California UST Regulations, § 2635(a)(2).



# Monitoring System Certification

- 💧 **Ensure that floats (ATG, interstitial sensors, etc.) move freely**
- 💧 **Inspect for kinks and breaks in cables**
- 💧 **Check monitoring panel's backup battery**

California UST Regulations, Appendix VI, Sections VIII, X, XII.





# Monitoring System Certification (continued)

- 💧 **Inspect containment sumps for damage, debris, and liquid**
- 💧 **Results must be recorded on the revised “Monitoring System Certification Form”**
  - 💧 Added vacuum, pressure, and hydrostatic
  - 💧 monitoring addendum

California UST Regulations, § 2638(c) & Appendix VI, Sections III & XIV.





# Owners/Operators Statement of Understanding and Compliance

- 💧 **Submit upon installation**
- 💧 **Submit on “Statement of Understanding and Compliance”**
- 💧 **Submit through California Environmental Reporting System (CERS)**
  - 💧 Upload to *Owner Statement of Designated UST Operator Compliance*
- 💧 **Resubmit as needed**

California UST Regulations, §§ 2715(a)(1)(A) & (a)(2).



# Designated UST Operator

- 💧 **Identifying Designated UST Operators**
- 💧 **Visual Inspection**
- 💧 **“Designated Underground Storage Tank Operator Visual Inspection Form”**

# Designated UST Operator

## 💧 Identifying Designated UST Operators

- 💧 Submit on "Designated Underground Storage Tank Operator Identification Form"
- 💧 Submit through CERS
  - 💧 Upload to *Owner Statement of Designated UST Operator Compliance*
- 💧 Resubmit as needed

California UST Regulations, §§ 2715(a)(1)(B), & (3)(B)



# Designated UST Operator (continued)

## 💧 Visual Inspection

- 💧 At least once every 30 days
- 💧 Inspect for damage
  - 💧 Spill container & under-dispenser containment

California UST Regulations, §§ 2716(a), (b)(5), (8), & (9).



# Designated UST Operator (continued)

## 💧 Visual Inspection (continued)

- 💧 Inspect for obstructions in the fill pipe
- 💧 Verify fill cap fits securely on the fill pipe
- 💧 Record results on "Designated Underground Storage Tank Operator Visual Inspection Form"

California UST Regulations, §§ 2716(a)(6), (7), & (c)



# Designated UST Operator (continued)

- 💧 **“Designated Underground Storage Tank Operator Visual Inspection Form”**
  - 💧 Outstanding issues identified from the prior inspection
  - 💧 Owners/operators description of actions taken or to be taken
  - 💧 Owners/operators retain for 36 months

California UST Regulations, §§ 2716(c)(2), (e), & (f).



# Facility Employee Training

- 💧 **Train before performing duties**
- 💧 **Certification of training must be documented on the “Facility Employee Certification Form”**
  - 💧 Owners/operators retain for 12 months

California UST Regulations, § 2715(c).





# Other Requirements

- 💧 **Licensed professional engineer or geologist must sign site assessments conducted after October 13, 2018 for groundwater and vadose zone monitoring**
  - 💧 Retain for as long as the method of monitoring is used
- 💧 **Closure sampling results must be retained by owners/operators for 36 months after closure**

California UST Regulations, §§ 2647(h), 2648(d), & 2672(f).





# Resources

## State Water Board Forms

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/forms](https://www.waterboards.ca.gov/water_issues/programs/ust/forms)

## State Water Board Local Guidance Letters

[https://www.waterboards.ca.gov/water\\_issues/programs/ust/leak\\_prevention/lgs](https://www.waterboards.ca.gov/water_issues/programs/ust/leak_prevention/lgs)

## U.S. EPA Guidance

<https://www.epa.gov/ust/publications-related-underground-storage-tanks>

## UST Technical Compendium for the 2015 UST Regulations

<https://www.epa.gov/ust/underground-storage-tank-ust-technical-compendium-about-2015-ust-regulations>

## U.S. EPA FAQ

<https://www.epa.gov/ust/frequent-questions-about-underground-storage-tanks>

## U.S. EPA Must for USTs

<https://www.epa.gov/ust/musts-usts>



# Questions?

## Contacts

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